



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frederick L. Ross  
U.S. Patent Serial No.: 09/865,470  
Filing Date: May 24, 2001  
Examiner: Maria T. Thein  
Group No.: 3625  
Confirmation No.: 2938  
Title: **LOCAL RETURNS OF REMOTELY  
PURCHASED MERCHANDISE WITH RETURN  
CODE VALIDATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

*Elizabeth A. Furb*  
Signature

Date: *9/8/05*

**REQUEST FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT TIMELY FILED**

For reasons set forth below, **it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Maria T. Thein**, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statements filed November 12, 2003 and June 25, 2004 have been considered.

On November 12, 2003 and June 25, 2004 Applicant filed Information Disclosure Statements (IDS) with PTO-1449 form (three (3) pages each) attached, listing the references submitted for consideration. Copies of the cited references were also included. The Information Disclosure Statements were received at the U.S. Patent and Trademark Office on DAL01:866614.1

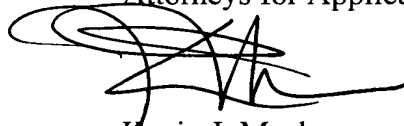
November 12, 2003 and June 25, 2004 as shown on the returned, date-stamped postcards, copies of which are attached. For the convenience of the Examiner, copies of the Information Disclosure Statements and the cited references filed November 12, 2003 and June 25, 2004 are enclosed.

Office Actions for this application were mailed on August 5, 2004, February 10, 2005, May 6, 2005, and August 5, 2005. However, Examiner Maria T. Thein has not returned copies of the PTO-1449 forms indicating consideration of the references cited in the Information Disclosure Statements filed November 12, 2003 and June 25, 2004.

Accordingly, **Applicant hereby requests confirmations of consideration of the previously filed Information Disclosure Statements.** Examiner Maria T. Thein is requested to initial the references listed on the PTO-1449 forms to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to be 'Kevin J. Meek', written over a horizontal line.

Kevin J. Meek  
Reg. No. 33,738

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6680

Enclosures: Copies of IDS(s) filed November 12, 2003 and June 25, 2004  
with Form PTO-1449 and copies of the cited references;  
Copy of acknowledgment post cards showing  
date stamps of November 12, 2003 and June 25, 2004.

DAL01:866614.1



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Inventor(s): <b>Frederick L. Ross</b>		Serial No.: <b>09/865,470</b>
Title: <b>Local Returns of Remotely Purchased Merchandise with Return Code Validation</b>		
Client/Applicant: <b>Newgistics, Inc.</b>		BB File No.: <b>067439.0119</b>
Mailed: <b>6/28/04</b>		Certificate of Mailing
Due: <b>DAD</b>		<input checked="" type="checkbox"/> Express Mail Rcpt. No.: <b>EV352389765US</b>
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Mailed: <b>11/12/03</b>		Certificate of Mailing
Due:		<input checked="" type="checkbox"/> Express Mail Rpt. No.: <b>EV352392645US</b>
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